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10/810,903	03/29/2004	Yukihiro Kubo	1163-0502PUS1	1089

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EXAMINER	
SHARMA, SUJATHA R	
ART UNIT	**PAPER NUMBER**
2618	

NOTIFICATION DATE	DELIVERY MODE
10/23/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/810,903	KUBO, YUKIHIRO	
	Examiner	Art Unit	
	SUJATHA SHARMA	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3 and 6-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,6-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 7/14/08 have been fully considered but they are not persuasive.

The applicant argues that the references fail to teach a method where the first terminal detects that it is connected to the holder allowing it to initiate internal operations and also the holder of the second terminal detects that the first terminal is connected to the holder. See page 7 of the response, last paragraph.

The examiner respectfully disagrees and would like to draw the applicant's attention to Kushita's reference where the first terminal detects that it is connected to the holder allowing it to initiate internal operations (see col. 9, lines 18,19) and also the holder of the second terminal detects that the first terminal is connected to the holder (see col. 4, lines 18-37 where the holder or cradle 205 of the automobile system 200 holds the portable telephone and has a detection method to detect the presence of the portable phone in the holder or cradle and a control signal is set between the portable phone and the automobile system).

Further the applicant on page 8, second paragraph argues that Kushita does not disclose a method wherein the communication between the first and second terminal is performed automatically. Again, the examiner would like to bring the applicant's attention to Kushita's reference col. 4, lines 18-37 where the holder or cradle 205 of the automobile system 200 holds the portable telephone and has a detection method to detect the presence of the portable phone in the holder or cradle and a control signal is set between the portable phone and the automobile system thus reading on the claimed limitation.

Therefore the combination of the references meets all the claimed limitations and the rejection of the claims discussed in the previous office action and as discussed below is considered proper.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1,3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kushita [US 6,570,689] and Haruki [JP 2002-290606] in view of Lilja [US 5,991,640]

Regarding claim 1, Kushita discloses a method of operating of operating an automobile system using a portable telephone. Kushita further discloses a method comprising:

- a first terminal provided with a first wireless connection interface for performing short-distance wireless communications and a first control unit for starting said first wireless connection interface; see col. 2, lines 43-51 where the first terminal is a portable terminal with a first short range communication module wherein the first terminal provided with the said short-range communication module automatically checks for a signal that the first terminal provided with the said short-range communication module is connected to the holder (see col. 9, lines 18,19)
- a second terminal provided with a second wireless connection interface for performing short-distance wireless communications and a second control unit for starting said second

wireless connection interface; see col. 2, lines 52-67 where the second terminal is represented by the automobile system with infra red communication module with an infra red processing section

wherein

- said second terminal includes a holder having a detector for detecting whether or not said first terminal is set to said holder, and for outputting a set signal when detecting that said first terminal is set to said holder, see col. 4, lines 18-37 where the holder or cradle 205 of the automobile system 200 holds the portable telephone and has a detection method to detect the presence of the portable phone in the holder or cradle and a control signal is set between the portable phone and the automobile system
- said second control unit of said second terminal starts said second wireless connection interface in response to the set signal sent thereto from said detector, and establishes a wireless connection between said first terminal and said second terminal; see col. 8, lines 32- col. 9, line 27. Here the when the portable phone is in the cradle, a control signal is set which is indicated to the automobile system which then communicates with the portable phone to set the phone to the drive mode i.e. to disable the phone for speech communication. See also col. 1, lines 5-45

However, Kushita fails to disclose a method where the short range communication unit to be a blue tooth module.

Haruki, in the same field of endeavor, discloses a method of communication between a mobile unit and other nearby devices using Bluetooth technology. See abstract

Therefore it would have been obvious to one with ordinary skill in the art at the time the

invention was made to provide the above teachings of Haruki to Kushita in order to have a more flexible way of providing short-range communications overcome the disadvantage of using infrared communications, which requires line-of-sight communications.

However, Kushita and Haruki do not disclose a method wherein said holder includes a charge interface for supplying a charging current to said first terminal when said first terminal is set to said holder, said first terminal includes a charge detector for detecting whether or not the charging current is supplied thereto from said holder, and said first control unit of said first terminal starts said first wireless connection interface when said charge detector detects that the charging current is supplied to said first terminal so as to establish a wireless connection between said first terminal and said second terminal.

Lilja, in the same field of endeavor, teaches a method wherein when the phone is placed in the holder or cradle the phone interface 22 detects the presence of the phone in the holder (see col. 3, lines 16-19) , then the charging circuitry regulates and charges the mobile phone placed in the holder and thus powers the mobile unit to allow for the communication with the master electronic system of the automobile.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Lilja to modified Kushita in order for the proper operation of the phone while docked in the cradle.

Regarding claim 3, Kushita further discloses a method wherein said second control unit of said second terminal sends a start signal to said first control unit of said first terminal in response to the set signal sent thereto from said detector, and said first control unit of said first terminal starts

said first wireless connection interface in response to the start signal sent thereto from said second terminal, and establishes a wireless connection between said first terminal and said second terminal. See col. 1, lines 5-45, col. 2, lines 42-67, col. 4, lines 18-37, see col. 8, lines 32-col. 9, line 27

Regarding claim 7, Haruki teaches a method of presenting to the user a list of registered devices connectable with Bluetooth method on a display so that the user can intuitively select a device that the user wants to connect so that the convenience of the user can be improved significantly.

2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kushita [US 6,570,689] in view of Haruki [JP 2002-290606].

Regarding claim 6, Kushita discloses a system comprising:

- a first terminal provided with a first wireless connection interface for performing short-distance wireless communications and a first control unit for starting said first wireless connection interface; see col. 2, lines 43-51 where the first terminal is a portable terminal with a first short range communication module wherein the first terminal provided with the said short-range communication module automatically checks for a signal that the first terminal provided with the said short-range communication module is connected to the holder (see col. 9, lines 18,19)
- a second terminal provided with a second wireless connection interface for performing short-distance wireless communications and a second control unit for starting said second wireless connection interface; see col. 2, lines 52-67 where the second terminal is

represented by the automobile system with infra red communication module with an infra red processing section

- wherein said second terminal includes a holder having a detector for detecting whether or not said first terminal is set to said holder, and for outputting a set signal when detecting that said first terminal is set to said holder, and said second control unit of said second terminal starts said second wireless interface module in response to the set signal sent thereto from said detector, and establishes a wireless connection between said first terminal and said second terminal; see col. 4, lines 18-37 where the holder or cradle 205 of the automobile system 200 holds the portable telephone and has a detection method to detect the presence of the portable phone in the holder or cradle and a control signal is set between the portable phone and the automobile system
- wherein said second control unit of said second terminal sends a start signal to said first control unit of said first terminal in response to the set signal sent thereto from said detector, and said first control unit of said first terminal starts said first wireless interface module in response to the start signal sent thereto from said second terminal, and establishes a wireless connection between said first terminal and said second terminal. ; see col. 8, lines 32- col. 9, line 27. Here the when the portable phone is in the cradle, a control signal is set which is indicated to the automobile system which then communicates with the portable phone to set the phone to the drive mode i.e. to disable the phone for speech communication. See also col. 1, lines 5-45

However, Kushita fails to disclose a method where the short range wireless communication module to be a blue tooth module.

Haruki, in the same field of endeavor, discloses a method of communication between a stationary unit and a mobile unit using Bluetooth technology. See abstract

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Haruki to Kushita in order to have a more flexible way of providing short-range communications overcome the disadvantage of using infrared communications, which requires line-of-sight communications.

Regarding claim 8, Haruki teaches a method of presenting to the user a list of registered devices connectable with Bluetooth method on a display so that the user can intuitively select a device that the user wants to connect so that the convenience of the user can be improved significantly.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sujatha Sharma/
Primary Examiner, Art Unit 2618
Sujatha Sharma
October 19, 2008